THE NEW YORK HERALD.

WHOLE NO. 8854.

MORNING EDITION-WEDNESDAY, DECEMBER 5, 1860.-TRIPLE SHEET.

PRICE TWO CENTS.

THE CRISIS.

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THE PRESIDENT'S MESSAGE.

VELLOW CITIZENS OF THE SENATE

its natural effects. The different sections and often forewarned my countrymen of the now impending danger. This does not proceed solely

nd reflection might apply the remedy. The the family altar. This feeling of peace at home has given place to apprehensions of servile insurtires at night in dread of what may befall herself nion will become inevitable. Self-preservation is the first law of nature, and has been implanted in the heart of man by his Creator for the wises can long continue, if the necessary consequence be to render the homes and the firesides of nearly half the parties to it habitually and hopelessly insecure. Sooner or later the bonds of such a Union must be severed. It is my conviction that this fatal period has not yet arrived; and my prayer to God is that

throughout all generations. But let us take warning in time, and remove the cause of danger. It cannot be denied that, for five and twenty years, the agitation at the North against slavery in the South has been incessant. In 1835 pictorial handbills and inflammatory appeals were circulated extensively throughout the South, of a character to excite the passions of the slaves, and, in the language of General Jackson, "to stimulate them to insurrection and produce all the horzors of a servile war." This agitation has ever since been continued by the public press, by the proceedings of State and county conventions, and by abolition sermons and lectures. The time of Congress has been occupied in violent speeches on this never ending subject; and appeals in guished names, have been sent forth from this central point, and spread broadcast over the Union.

He would preserve the constitution and the Union

to settle the slavery question forever, and to re-

cessary to accomplish the object, and all for which the slave States have ever contended, is to be let alone, and permitted to manage their domestic institutions in their own way. As sovereign States they, and they alone, are responsible before God and the world for the slavery existing among them. For this the people of the North are not more responsible, and have no more right to interfere, than with similar institutions in Russia or in Brazil. Upon their good sense and patriotic forbearance I confess I still greatly rely. Without their aid, it is beyond the power of any President, no matter what may be his own political proclivities, to restore peace and harmony among the States. Wiscconstitution and laws, he alone can accomplish but little, for good or for evil, on such a momentous

tion? Reason, justice, a regard for the constitu-tion, all require that we shall wait for some overt and dangerous act on the part of the President elect before resorting to such a remedy.

President elect have been sufficient to justify the fears of the South that he will attempt to invade noblest system of government ever devised by mor-tals? From the very nature of his office, and its high responsibilities, he must necessarily be conaffords in itself a guarantee that he will not at-tempt any violation of a clear constitutional right. After all, he is no more than the chief executive make, but to execute the laws; and it is a remarkable fact in our history that, notwithstanding the repeated efforts of the anti-slavery party, no single act has ever passed Congress, unless we may possibly except the Mis-souri Compromise, impairing in the slighest degree the rights of the South to their property in from present indications, that no probability exists of the passage of such an act, by a majority of

of the passage of such an act, by a majority of both houses, either in the present or the next Congress. Surely, under these circumstances, we ought to be restrained from present action by the precept of Him who spake as never man spoke, that "sufficient unto the day is the evil thereof." The day of evil may never come, unless we shall rashly bring it upon ourselves.

It is alleged as one cause for immediate secession that the Southern States are denied equal rights with the other States in the common Territories. But by what authority are these denied? Not by Congress, which has never passed, and I believe never will pass, any act to exclude slavery from these Territories; and certainly not by the Supreme Court, which has solemnly decided that slaves are property, and, like all other property, their owners have a right to take them into the common Territories, and hold them there under the protection of the constitution.

So far, then, as Congress is concerned, the objection is not to anything they have already done, but to what they may do hereafter. It will surely be admitted that this apprehension of future danger is no good reason for an immediate dissolution of the Union. It is true that the Territorial Legislature of Kansas, on the 23d of February, 1880, passed in great haste an act, ever the veto of the Governor, declaring that slavery "is, and shall be, forever prohibited in this Territory." Such an act, however, plainly violating the rights of property secured by the constitution, will surely be declared void by the judiciary whenever it shall be, forever prohibited in this Territory." Such an act, however, plainly violating the rights of property secured by the constitution, will surely be declared void by the judiciary shenever it shall be, forever prohibited in this Territory." Such an act, however, plainly riolating the rights of property secured by the constitution, will surely be declared void by the judiciary whenever it shall be, forever prohibited for the property of the federal constitution

it is impossible for any human power to save the Union.

The Southern States, standing on the basis of the constitution, have a right to demand this act of justice from the states of the North. Should it be refused, then the constitution, to which all the States are parties, will have been wilfully violated by one portion of them in a provision essential to the domestic security and happiness of the remainder. In that event, the injured States, after having first used all peaceful and constitutional means to obtain

the Union in a similar manner by the vote of such a Convention.

In order to justify secession as a constitutional remedy it must be on the principle that the federal government is a mere voluntary association of States, to be dissolved at pleasure by any one of the contracting parties. If this be so, the confederacy is a rope of sand, to be penetrated and dissolveing the Union. This is more especially true if his election has been effected by a mere plurality, and not a majority, of the people, and has resulted from transfert and temporary causes, which may probably never again occur. In order to justify a resort to revolutionary resistance, the federal go-

our forefathers many years of toll, privation and blood to establish.
Such a principle is wholly inconsistent with the Statution. After it was framed, with the greatest deliberation and care, it was submitted to conventions of the propose of the several States for many the rights of the propose of the several States for many the rights of the propose of the several states for many the rights of the state of the state

ships of war, in time of peace; enter into any agree ment or compact with another State, or with a foreign Fower; or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay."

In order still further to secure the uninterrupted exercia; of these high powers against State interposition, it is provided "that this constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made or which shall be made under the authority of the United States shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the constitution or laws of one State to the contrary notwithstanding."

The solemn sanction of religion has been superadded to the obligations of official duty, and all sensitors and Representatives of the United States, all members of State Legislatures, and all executive or judicial officers, "both of the United States and of the several States, shall be bound by oath or affirmation to support this constitution."

In order to carry into effect these powers, the constitution has established a perfect government in all its forms, legislative, executive and judicial; and this government, to the extent of its powers, acts directly upon the individual ditizens of every State, and executes its own decrees by the agency of its own officers. In this respect it differs entirely from the government under the old confederation, which was confined to making requisitions on the States in their sovereign character. This left it in the discretion of each whether to obey or to refuse, and they often declined to comply with such requisitions. It thus became necessary, for the purpose of removing this barrier, and "in order to form a more perfect Union," to establish a government which could set directly upon the people and execute its own laws without the intermediate agency of the States. This has been accomplished by the constitution of the United States.

In short, the government created by the consti-

the intermediate agency of the States. This has been accomplished by the constitution of the United States.

In short, the government created by the constitution, and deriving its authority from the sovereign people of each of the several States, has precisely the same right to exercise its power over the people of all these States, in the enumerated cases, this each one of them possesses over subjects not delegated to the United States, but "reserved to the States respectively, or to the people."

To the extent of the delegated powers the constitution of the United States is as much a part of the constitution of each State, and is as binding upon its people, as though it had been textually inserted therein.

This government, therefore, is a great and powerful government, invested with all the attributes of sovereignty over the special subjects to which its authority extends. Its framers never intended to implant in its bosom the seeds of its own destruction, nor were they at its creation guilty of the absurdity of providing for its own dissolution. It was not intended by its framers to be the baseless fabric of a vision, which, at the touch of the enchanter, would vanish into thin air, but a substantial and mightly fabric, capable of resisting the slow decay of time and of defying the storms of ages. Indeed, well may the jealous patriots of the States, and wisely did they adopt the rule of a strict construction of these powers to prevent the danger. But they did not fear, nor had they any reason to imagine, that he consistiution would ever be so interpreted as to enable any state, by her own act, and without the consent of her sister States, to discharge her people from all or any of their federal obligations.

It may be asked, then, are the people of the States without redress against the tyranny and oppression of the federal government? By no means. The right of resistance on the part of the governed

not to express an opinion on this important subject.

The question fairly stated is: Has the constitution delegated to Congress the power to coerce a state into submission which is attempting to withdraw or has actually withdrawn from the confederacy! It answered in the affirmative, it must be on the principle that the power has been concred upon Congress to declare and to make war against a State. After much serious reflection I have arrived at the conclusion that no such power has been delegated to Congress or to any other denarment of the federal government. It is manifest, upon an inspection of the constitution, that his is not among the specific and enumerated powers granted to Congress; and it is equally appearent that its exercise is not "necessary and proper for carrying into execution" any one of these powers. So tar from this power having been delegated to Congress, it was expressly refused by the

per for carrying into execution" any one of these powers. So far from this power having been delegated to Congress, it was expressly refused by the convention which framed the constitution. It appears, from the proceedings of that body, hat on the 31st May, 1787, the clause "au horizing a exertion of the force of the whole against a deinquent State" came up for consideration. Mr. Madison opposed it in a brief but powerful speech, from which I shall extract but a single sentence, to observed:—"The use of force against a State would look more like a declaration of war than my infliction of pusishment, and would probably se considered by the party attacked as a dissolution of all previous compacts by which it might be bound." Upon his motion the clause was unanimously postponed, and was never, I believe, again presented. Soon after wards, on the 5th June, 1787, when incidentally adverting to the subject, the said:—"Any government for the United States, formed on the supposed practicability of using force against the unconstitutional proceedings of the States, would prove as visionary and fallacious as the government of Congress"—evidently meaning the then existing Congress of the old consectation. Suppose such a war should result in the conquest of a State, how are we to govern factor was not representatives to Congress, and to perform all the outer duties depending upon their own velition, and required from the free citizens of a ree State as a constituent member of the confedency.

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corn all the other dutes depending upon their own relition, and required from the free citizens of a ree State as a constituent member of the confederacy.

But, if we possessed this power, would it be wise o exercise it under existing circumstances? The object would doubtless be to preserve the Union. War would not only present the most effectual means of destroying it, but would banish all hope of its peaceable reconstruction. Besides, in the raternal conflict, a vast amount of blood and treature would be expended, rendering future reconciliation between the States impossible. In the meantime, who can forceful what would be the sufcerings and privations of the people during its existence?

The fact is, that our Union rests upon public opinion, and can never be cemented by the blood of a citizens shed in civil war. If it cannot live in the effections of the people, it must one day perish. Congress possess many means of preserving it by conciliation; but the sword was not placed in their hand to preserve it by force.

But may I be permitted solemnly to invoke my countrymen to pause and deliberate before they determine to destroy this, the grandest temple which has ever been dedicated to human freedom since the world began? It has been consecrated by the blood of our fathers, by the glories of the past and by the hopes of the future. The Union has already made us the most prosperous, and, ere long, will, if preserved, render us the most powerful nation on the face of the earth. In every foreign region of the globe the title of American citizen is held in the highest respect, and when pronounced in a foreign land it causes the hearts of our countrymen to swell with horror from the lact faital plunge. By such a dread catastrophe the hopes of the friends of readom throughout the world would be destroyed, and a long night of leaden despotism would eash round the prink of the yawning abyss, we shall resold with horror from the lact faital plunge. By such a dread catastrophe the hopes of the friends of readom throughou

desperate remedy of a despairing people, after every ot ver constitutional means of conciliation had been exhausted. We should reflect that under this free government there is an incessant ebb and flow in public opinion. The slavery question, like everything human, will have its day. I firmly believe that it has already reached and phased the culminating point. But if, in the midst of the existing excitement, the Unit shall perish, the evil may then become irreparable. Congress can contribute much to avert it by proposing and recommending to the Legislatures of the several States the remedy for existing evils, which the constitution has itself provided for its own preservation. This has been tried at different critical periods of our instory, and always with eminent suocess. It is to be found in the fifth article providing for its own amendment. Under this article amendments have been proposed by two-thirds of both houses of Congress, and have been "ratified by the Legislatures of three-fourths of the several States." and have consequently become parts of the constitution. To this process the country is interbed for the clause prohibiting Congress from passing any law respecting an establishment of rehigion or abridging the freedom of speech or of the press, or of the right of petition. To this we are also indebted for the fill of Eights, which secures the people against any abuse of power by the federal government. Such were the apprehensions justly entertained by the friends of state rights at that period as to have condered it extremely doubtuit whether the constitution could have long survived without these amendments. Again, the constitution of Representatives, in February, 1803. This amendment was rendered necessary to prevent a recurrence of the dangers which had seriously threatened the existence of the government during the peudency of that election. The article for us own amendment was intended to secure the amicable adjustment of conflicting constitutional questions like the present, which might aris

istence, and util they shall be admitted as States into the Union, with or without slavery, as their constitutions may prescribe.

3. A like recognition of the right of the master to have his slave, who has escaped from one State to another, restored and "delivered up" to him, and of the validity of the Fugitive Slave law enacted for this purpose, together with a declaration that all State laws impairing or defeating this right are violations of the constitution, and are consequently null and void.

It may be objected that this construction of the constitution has already been settled by the Supreme Court of the United States, and what more ought to be required? The answer is, that a very large proportion of the people of the United States suil contest the correctness of this decision, and never will cease from agitation and admit its binding force until clearly established by the people of the several States in their sovereign character. Such an explanatory amendment would, it is believed, forever terisinate the existing dissensions and restore peace and harmony among the States. It ought not to be doubted that such an appeal to the arbitrament established by the constitution itself would be received with favor by all the States of the confederacy. In any event it ought to be tried in a spirit of conciliation before any of these States shall separate themselves from the Union.

OUR FORKIGN RELATIONS.

The description of the Clayton and Bulwer treaty between the two governments, which, at different periods of the discussion, bore a threatening aspect, have resulted in a final set-tlement entirely satisfactory to this government. In my last annual Message I informed Congress Ballwer treaty between the two governments, which, at different periods of the discussion, bore a threatening aspect, have resulted in a final settlement entirely satisfactory to this government. In my last annual Message I informed Congress that the British government had not then "completed treaty arrangements with the republics of Honduras and Nicaragua, in pursuance of the understanding between the two governments. It is neverticless confidently expected that this good work will ere long be accomplished." This confident expectation has since been fulfilled. Mer Britannic Majesty concluded a treaty with Honduras on the 28th November, 1850, and with Nicaragua on the 28th August, 1860, relinquishing the Mosquito protectorate. Besides, by the former, the Bay Islands are recognized as a part of the republic of Honduras. It may be observed that the stipulations of these treaties conform in every important particular to the amendments adopted by the Senate of the United States to the treaty concluded at London on the 17th October, 1856, between the two governments. It will be recollected that this treaty was rejected by the British government because of its objection to the just and important amendment of the Senate to the article relating to Ruatan and the other islands in the Bay of Honduras.

It must be a source of sincere satisfaction to all classes of our fellow citizens, and especially to those engaged in foreign commerce, that the claim, on the part of Great Britain, foreibly to visit and search American merchant vessels on the high seas is time of peace, has been abaudoned. This was by far the most dangerous question to the peace of the two countries which has existed since the war of 1812. Whilst it remained open, they might at any moment have been precipitated into a war. This was rendered manifest by the exasperated state of public feeling throughout our entre contry, produced by the foreible search of American merchant vessels by British cruisers on the Coali of Mexico, "to protect all vessels of the U

with France, our ancient and powerful ally, our relations continue to be of the most friendly character. A decision has recently been made by a French judicial tribunal, with the approbation of the imperial government, which cannot fall to foater the sentiments of mutual regard that have so long existed between the two countries. Under the French law no person can serve in the armies of France unless he be a French citizen. The faw of France recognizing the natural right of expatiation, it follows as a necessary consequence that a Frenchman, by the fact of having become a citizen

of the United States, has changed his allegiance and has lost his native character. He cannot, therefore, be compelled to serve in the French armies in case he should return to his native country. These principles were announced in 1852 by the French Minister of War, and in two late cases have been confirmed by the French judiciary. In these, two natives of France have been discharged from the French army because they had become American citizens. To employ the language of our present Minister to France, who has rendered good service on this occasion. "I do not think our french naturalized fellow citizens will hereafter experience much annoyance on this subject." I venture to predict that the time is not far distant when the other Centinental Powers will adopt the same wise and just policy which has done so much henor to the chightened government of the Emporor. In any event, our government is bound to protect the rights of our naturalized citizens everywhere to the same extent as though they had drawn their first breath in this country. We can recognise no distinction between our native and naturalized citizens.

Between the great empire of Russia and the United States the munal friendship and recognise

drawn their first breath in this country. We can recognise no distinction between our native and maturalized citizens.

Between the great empire of Russia and the United States the mutual friendship and regard which have so long existed still continue to prevail, and, if possible, to increase. Indeed, our relations with Spain.

Our relations with Spain are now of a more complicated though less dangerous character than they have been for many years. Our citizens have long held, and centinue to hold, numerous casime against the Spanish government. These had been abily triged for a series of years by our successive diplomatic representatives at Madrid, but without obtaining redress. The Spanish government finally agreed to institute a joint commission for the adjustment of these claims, and on the 5th day of March, 1850, concluded a convention for this purpose with our present Minister at Madrid. Under this cenventies, what have been denominated "the Obtain and Carlina" and the series of years by our successive which more than one hundred of our fellow citizens are interested, were recognized, and the opposite government agreed to pay \$100,000 of this imposition of the series of the commissioners for or against "the Amistad claim," but in any event the balance was to be paid to the claimants, either by Spain or the United States. These terms, I have every reason to know, are highly satisfactory to the holders of the Commissioners for or against "the Amistad claim from the soms which they are entitled to receive from Spain. This offer, of course, cannot be accepted. All ether claims of citizens of the United States. These terms, I have every reason to know, are highly satisfactory to the holders of the Queen of Spain against the United States, including the "Amistad claim," were by this convention referred to a don't the validity of the Amistad claim from the soms which they are entitled to receive from Spain. This offer, of course, cannot be accepted. All ether claims of citizens of the United States spains to gov

mined that they would "not advise and consent" to its ratification.

These proceedings place our relations with Spain in an awhward and embarrassing position. It is more then probable that the final adjustment of these claims will devolve upon my successor.

I reiterate the recommendation contained in my annual Massage of December, 1859, in favor of the acquisition of Cubn from Spain by fair purchase. I firmly betwee that such an acquisition would contribute essentially to the well being and prosperity of both countries in all future time, as well as prove the certain means of immediately abolishing the African slave trade throughout the world. I would not repeat this recommendation upon the present

With the Emperor of Austria, and the remaining Consinental Powers of Europe, including that or the Sultan, our relations continue to be of the most friendly character.

Our relations with great Britain are of the most friendly character. Since the commencement of my administration the two dangerons questions arising from the Clayton and Bulwer treaty, and from the right of search claimed by the British go-

heen already carried into effect, so far as this was practicable.

Under this convention the sum of 500,000 tacls, equal to about 500,000, was stipulated to be paid in satisfaction of the claims of American citizeas, out of the one-fifth of the receipts for tonnage import and export duties on American vessels at the ports of Canton. Shanghae and Fuchan; and it was "agreed that this amount shall be in full liquidation of all claims of American citizens at the various ports to this date." Debentures for this amount, to wit:—300,000 tacls for Canton, 109,000 for Shanghae, and so the convention by the respective Chinese collectors of the customs of these ports to the agent selected by our Minister to receive the same.

Since that time the claims of our citizens have been adjusted by the Board of Commissioners appointed for that purpose under the act of March 3, 1859, and their awards, which proved satisfactory to the claimants, have been approved by our Minister. In the aggregate they amount to the sum of \$498,604 78. The claimants have already received a large proportion of the sums awarded to them out of the fund provided, and it is confidently expected that the remainder will ere long be entirely paid. After the awards shall have been satisfied there will remain a surplus of more than \$200,000 at the disposition of Congress. As this will in equity belong to the Chinese government, would not justice require its appropriation to some benevolent object in which the Chinese may be specially interested.

Our Minister to China, in obedience to his instructions, has remained perfectly neutral in the war between Great Britain and France and the Chinese empire; although, in conjunction with the Russian Minister, he was ever ready and willing, had the opportunity offered, to empioy his good o

and responsible positions in which they have on different occasions been placed.

Arta:

The ratifications of the treaty with Japan, coachaged at Jeddo on the 29th July, 1858, were exchanged at Washington on the 22d May last, and the treaty itself was proclaimed on the succeeding day. There is good reason to expect that, under its protection and influence, our trade and intercourse with that distant and interesting people will rapidly increase.

The ratifications of the treaty were exchanged with unusual solemnity. For this purpose the Tycoon had accredited three of his most distinguished subjects as Envoys Extraordinary and Ministers Plenipotentiary, who were received and treated with marked distinction and kindness both by the government and people of the United States. There is every reason to believe that they have returned to their native land entirely satisfied with their visit, and inspired by the most friendly feelings for our country. Let us ardently hope, in the language of the treaty itself, that "there shall henceforward be perpetual peace and friendship hetween the United States of America and his Majesty the Tycoon of Japan and his successors."

With the wise, conservative and Sberal government of the empire of Brazil our relations continuous be of the most amicable character.

The exchange of the ratifications of the convention with the republic of New Granada, signed at Washington on the 10th of September, 1857, has been long delayed from accidental causes. for which neither party is censurable. These ratifications of the convention which neither party is censurable.